



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jani, et al.

Examiner: Corbin, A.L.

Application: 10/664,426

Group Art Unit: 1761

Filed: August 26, 2003

Docket: 1421-58 DIV/RCE

Confirmation No: 4538

Date: August 14, 2006

For: THREE-LAYERED
CENTER-FILLED GUM PRODUCT
WITH CANDY SHELL

I hereby certify this correspondence is being deposited with the U.S. Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: August 14, 2006

Barbara Thomas
Name (Print)

(Signature)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

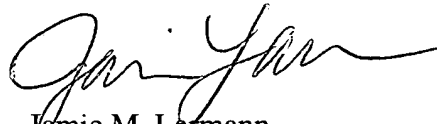
In fulfillment of the requirements of candor and good faith set forth in 37 C.F.R. §1.56, Applicant submits herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.97 and §1.98. It is understood that the information provided herein is solely for the purpose of fulfilling Applicant's obligations under the law and should not be construed as nor is it intended to be an admission of prior art.

Copies of the U.S. Patents and U.S. Patent Publications listed on the attached Form PTO-1449 are not provided as the U.S. Patent office has waived the requirement for paper submission of such documents.

Since this Information Disclosure Statement is being submitted prior to issuing an Office Action on the merits, after the filing of a Request for Continued Examination, no fee is believed to be necessary. If, however, a fee is necessary, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 08-2461.

If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact Applicant's attorney at the telephone number set forth below.

Respectfully submitted,



Jamie M. Larman
Registration No. 48,623
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Rev. 2-32) PATENT AND TRADEMARK OFFICE



INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.
1421-58 DIV/RCE

SERIAL NO.
10/664,426

APPLICANT
Jani et al.

CONFIRMATION NO.
4538

FILING DATE
8/26/03

GROUP
1761

U.S. PATENT PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		2002/ 0004083	01-10-02	Yatka et al.			
		2002/ 0136812	09-26-02	Degady et al.			
		2002/ 0142059	10-03-02	Jani et al.			
		2003/ 0059501	03-27-03	Rivier			
		2003/ 0138518	07-24-03	Kiefer et al.			
		2004/ 0037788	02-26-04	Barreca			
		2004/ 0037924	02-26-04	Jani et al.			
		2004/ 0037925	02-26-04	Jani et al.			
		2004/ 0126472	07-01-04	Soldani			
		2004/ 0131751	07-08-04	Dekker et al.			
		2004/ 0234459	11-25-04	Faust et al.			
		2005/ 0260317	11-24-05	Cotten et al.			
		2005/ 0260329	11-24-05	Yusuf et al.			
		2006/ 0024354	02-02-06	Barreca			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		810,210	01-16-1906	Laws			
		2,448,786	09-07-48	Faxon			
		2,973,273	02-28-61	Curtiss			
		3,062,662	11-06-62	McDonald			
		3,071,476	01-01-63	Werft et al.			
		3,795,748	03-05-74	Cillario			
		3,806,290	04-23-74	Graff et al.			
		3,857,963	12-31-74	Graff et al.			
		3,894,154	07-08-75	Graff et al.			
		4,150,161	04-17-79	Rudolph et al.			
		4,156,740	05-29-79	Glass et al.			
		4,157,402	06-05-79	Ogawa et al.			
		4,250,196	02-10-81	Friello			
		4,252,829	02-24-81	Terrevazzi			
		4,271,197	06-02-81	Hopkins et al.			
		4,292,329	09-29-81	Ogawa et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		4,301,178	11-17-81	Witzel et al.			
		4,316,915	02-23-82	Friello et al.			
		4,352,823	10-05-82	Cherukuri et al.			
		4,352,825	10-05-82	Cherukuri et al.			
		4,374,858	02-22-83	Glass et al.			
		4,399,154	08-16-83	Puglia et al.			
		4,466,983	08-21-84	Cifrese et al.			
		4,513,012	04-23-85	Carroll et al.			
		4,563,345	01-07-86	Arrick			
		4,601,907	07-22-86	Knebl et al.			
		4,614,658	09-30-86	Wilson et al.			
		4,642,235	02-10-87	Reed et al.			
		4,647,450	03-03-87	Peters et al.			
		4,683,138	07-28-87	Glass et al.			
		4,707,363	11-17-87	Sato et al.			
		4,762,719	08-09-88	Forester			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		4,938,128	07-03-90	Knebl			
		4,949,630	08-21-90	Knebl			
		4,975,288	12-04-90	Hager et al.			
		4,980,178	12-25-90	Cherukuri et al.			
		4,997,659	03-05-91	Yatka et al.			
		5,125,819	06-30-92	Hager et al.			
		5,156,866	10-20-92	Sato et al.			
		5,244,887	09-14-93	Straub			
		5,279,842	01-18-94	Escola Gallart et al.			
		5,399,365	03-21-95	Yatka et al.			
		5,425,961	06-20-95	Yatka et al.			
		5,431,929	07-11-95	Yatka et al.			
		5,458,892	10-17-95	Yatka et al.			
		5,498,429	03-12-96	Orlandi et al.			
		5,502,045	03-26-96	Miettinen et al.			
		5,525,360	06-11-96	Yatka et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		5,612,070	03-18-97	Yatka et al.			
		5,626,896	05-06-97	Moore et al.			
		5,670,163	09-23-97	Cuca et al.			
		5,879,728	03-09-99	Graff et al.			
		5,952,019	09-14-99	Yatka et al.			
		6,054,144	04-25-00	Burruano et al.			
		6,087,353	07-11-00	Stewart et al.			
		6,242,019	06-05-01	Bell et al.			
		6,280,762	08-28-01	Bealin-Kelly et al.			
		6,280,780	08-28-01	Degady et al.			
		6,284,291	09-04-01	Siecke et al.			
		6,306,429	10-23-01	Bealin-Kelly			
		6,432,441	08-13-02	Bealin-Kelly et al.			
		6,472,001	10-29-02	Bunkers et al.			
		6,491,540	12-10-02	Barreca			
		6,528,102	03-04-03	Coyle et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		6,558,727	05-06-03	Degady et al.			
		6,602,518	08-05-03	Seielstad et al.			
		6,613,346	09-02-03	Seielstad et al.			
		6,623,266	09-23-03	Jani et al.			
		6,652,839	11-25-03	Barreca			
		6,838,098	01-04-05	Bunkers et al.			
		6,869,614	03-22-05	Barreca			
		6,949,264	09-27-05	McGrew et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
		EP 0086856	08-31-1983	EPO				
		EP 0806151	11-12-1997	EPO				
		EP 0944331	09-29-1999	EPO (WO 98/24325)				
		EP 1003475	05-31-2000	EPO (WO 98/47484)				
		EP 1004594	05-31-2000	EPO				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
		EP 1151673	11-07-2001	EPO				
		EP 1425976	06-09-2004	EPO				
		WO 00/06127	02-10-2000	WO				
		WO 00/19977	04-13-2000	WO				
		WO 01/67884	09-20-2001	WO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			Lieberman, Herbert A., Lachman, Leon, "Pharmaceutical Dosage Forms", Tablets, Vol. 1, pp. 386-399
			Jackson, E.B., "Cerelose - The Confectionery Industry's Natural Sweetener", Confectionery Manufacture and Marketing, Vol. 28, June 1991, No. 6, pp. 20, 22
			Jackson, E.B., "Cerelose - It's Role in Improved Confectionery", Confectionery Production, Vol. 57, January 1991, No. 1, pp. 79, 91
			Hintlian, F., "Filled Hard Candy"; Manufacturing Confectioner, Vol. 75, October 1995, No. 10, pp. 61-66
			Hume, J., "Notebook of a Practical Confectioner, Part 5-Continuation of Recipes for Centres", Confectionery Production, Vol. 44, January 1978, pp. 18, 20

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			"Centres for High Boilings - Fruit Pulp, Caramel, Treacle or Powder", by Sweetmaker, Confectionery Production, Vol. 48, August 1982, pp. 344-345
			Long, T., "Producing Centre Filled Hard Candy, Chewing Gum and Toffees", Candy and Snack Industry, Vol. 145, November 1980, No. 11, pp. 34, 37
			Gonze, M., "High Purity Erythritol for New Health Food Applications", ZFL, Internationale Zeitschrift Fur Lebensmittel-Tchnik, Marketing, Verpackung und Analytik, Vol. 47, 1996, No. 11, pp. 66-68
			McIntyre, M., "Isomalt as an International Sugar Replacer", Food Ingredients and Analysis International, Vol. 23, 2001, No. 6, pp. 35-36
			Deis, R., "Polyols in Confectionery", Manufacturing Confectioner, Vol. 80, October 2000, No. 10, pp. 53-57.
			Hyvoenen, L., et al., "Food Technological Evaluation of Xylitol", Advances in Food Research, Vol. 28, 1982, pp. 373-403
			Fritz, Douglas P., "Using Confectionery Equipment to Manufacture Chewing Gum", Manufacturing Confectioner, November 2000, Vol. 80, No. 11, pp. 45-48
			Rogers, P., "Helping the Medicine Go Down", Vol. 166, 2001, No. 5, pp. 36-40
			"Product Parade", Candy Industry, December 1991, p. 10

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1421-58 DIV/RCE	SERIAL NO. 10/664,426
	APPLICANT Jani et al.	CONFIRMATION NO. 4538
	FILING DATE 8/26/03	GROUP 1761

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			Honpo, Senjakuame, "Orange Pure Sherbet Candy; Lemon Pure Sherbet Candy Manufacturer", International Product Alert, November 1991, Vol. 8, No. 21
			Shokuhin, Kanebo, "Ninja Club", International Product Alert, December 1986, Report No. 044453
			"Mega Warheads Fruit Flavored Candy - Sour Lemon; Fruit Flavored Candy - Sour Apple; Fruit Flavored Candy - Hot Grape; Fruit Flavored Candy - Hot Cherry", by Foreign Candy Co., Inc., Product Alert, June 1992, Vol. 22, No. 23, Report No. 096490
			Matlow, Swizzels, "Stingers Taffy Bar - Lemon Raspberry; Fruit Punch", November 1994, Report 120966
			"Calpis Candy - Assortment by Kanro", Japanscan, May 2000, Report 193961
			Kanro 10 Tsubu Hinyari Suika Nodoame 10 Candy by Kanro; July 2002, Report 242381

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.